

Regular Session, 2010

HOUSE BILL NO. 376

BY REPRESENTATIVE WOOTON

PARDON/PAROLE: Provides with respect to parole revocation for certain sex offenders

1 AN ACT

2 To amend and reenact R.S. 15:574.9(G)(1), relative to parole; to provide with respect to
3 "technical violations" of parole for certain sex offenders; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.9(G)(1) is hereby amended and reenacted to read as follows:

7 §574.9. Revocation of parole for violation of condition; board panels; return to
8 custody hearing; duration of reimprisonment and reparole after revocation;
9 credit for time served; revocation for a technical violation

10 * * *

11 G.(1)(a) Except as provided in Subparagraph (1)(b) of this Subsection, any
12 ~~Any offender who has been released on parole for the conviction of an offense other~~
13 ~~than a crime of violence as defined in R.S. 14:2(B) or of a sex offense as defined in~~
14 ~~R.S. 15:541~~, and whose parole supervision is being revoked under the provisions of
15 this Subsection for his first technical violation of the conditions of parole as
16 determined by the Board of Parole, shall be required to serve not more than ninety
17 days without diminution of sentence or credit for time served prior to the revocation
18 for a technical violation. The term of the revocation for the technical violation shall
19 begin on the date the Board of Parole orders the revocation. Upon completion of the
20 imposed technical revocation sentence, the offender shall return to active parole

1 supervision for the remainder of the original term of supervision. The provisions of
2 this Subsection shall apply only to an offender's first revocation for a technical
3 violation.

4 (b) The provisions of Subparagraph (1)(a) of this Subsection shall not apply
5 to the following offenders:

6 (i) Any offender released on parole for the conviction of a crime of violence
7 as defined in R.S. 14:2(B).

8 (ii) Any offender released on parole for the conviction of a sex offense as
9 defined in R.S. 15:541.

10 (iii) Any offender released on parole who is subject to the sex offender
11 registration and notification requirements of R.S. 15:541 et seq.

12 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Wooton

HB No. 376

Abstract: Provides with respect to parole revocation for offenders who are subject to the sex offender registration and notification requirements.

Present law provides that any offender who has been released on parole and whose parole supervision is being revoked for his first technical violation of the conditions of parole, as determined by the Board of Parole, shall be required to serve a maximum of 90 days without diminution of sentence or credit for time served prior to the revocation.

Present law defines "technical violation".

Present law provides that the following offenders are not eligible for the 90-day parole revocation period:

- (1) Any offender released on parole for the conviction of a crime of violence as defined in R.S. 14:2(B).
- (2) Any offender released on parole for the conviction of a sex offense as defined in R.S. 15:541.

Proposed law retains present law and adds that any offender who is subject to the sex offender registration and notification requirements is ineligible for the 90-day parole revocation period.

(Amends R.S. 15:574.9(G)(1))